UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF WASHINGTON

KAREN A. OVERSTREET
Chief Judge

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September 29, 2010

Judge Bryan Chushcoff
Presiding Judge
Pierce County Superior Court
334 County-City Building
930 Tacoma Avenue South
Tacoma, WA 98402

Dear Judge Chushcoff:

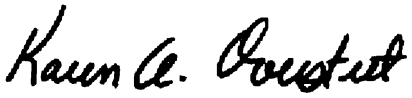
Thank you for your letter of August 18, 2010, requesting an exemption from PACER fees to access PACER records of the bankruptcy court in the Western District of Washington. As I understand the letter, you seek an exemption from PACER fees for Pierce County judicial officers and appropriate staff. In 2006, I was asked by Janet McLane, then Washington State Court Administrator, for an exemption from PACER fees for the Washington Superior Courts, Superior Court Clerks and County Clerks, and the Washington State District Courts and Municipal Courts. By an order dated October 2, 2006, a copy of which is enclosed, I granted that request. By its terms, the order exempts the Pierce County Superior Court from PACER access fees.

After receiving your letter, reviewing the form of my October 2006 letter and discussing your request with Chief District Judge Robert Lasnik, I decided to amend my 2006 order to include new provisions recommended by the Administrative Office of the United States Courts. A copy of my amended order, which will become effective today, is enclosed. It contains the same general exemption from PACER fees that will permit your judges and appropriate staff to access our court records. The amended order does not permit members of the public who visit your courts and who want to view our court records to access our records without payment of PACER fees.

By a copy of this letter, I am transmitting my letter and Amended Order Granting Application for Exemption From Public Access Fees (Washington State Courts) to the Washington State Court Administrator and the Office of the Washington State Attorney General.

If you have any questions or need anything else from me, please do not hesitate to ask.

Very truly yours,



Karen A. Overstreet
United States Bankruptcy Judge

cc: Chief Judge Robert S. Lasnik
Mr. Mark Hatcher, Bankruptcy Court Clerk
Mr. Rob McKenna, Washington State Attorney General
Mr. Jeff Hall, Washington State Court Administrator

KAREN A. OVERSTREET
Chief Judge
United States Bankruptcy Court
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UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

In re	)
	)
APPLICATION FOR EXEMPTION FROM THE ELECTRONIC PUBLIC ACCESS FEES BY WASHINGTON STATE COURTS	) AMENDED ORDER GRANTING APPLICATION FOR EXEMPTION FROM PUBLIC ACCESS FEES
	)
	)
	)

This matter came before the Court on the application by the Washington State Court Administrator for exemption from the fees imposed by the Electronic Public Access fee schedule adopted by the Judicial Conference of the United States Courts. The Court granted the application in an Order dated October 2, 2006. In light of amendments to the guidelines of the Judicial Conference of the United States Courts for approval of such applications, the Court finds it necessary to amend the October 2, 2006 Order. The application requests an exemption from PACER access fees for the Superior Courts, District Courts, and Municipal Courts of the State of Washington ("Applicants").

The Court finds that Applicants, as courts of a state, fall within the class of users listed in the fee schedule as being eligible for a fee exemption. Additionally, Applicants have demonstrated that an exemption is necessary in order to avoid unreasonable burdens and to promote public access to information.

NOW, THEREFORE, it is hereby ORDERED that Applicants shall be exempt from the payment of fees for access via PACER to the electronic case files maintained in this Court, to the extent such use is incurred in the course of Applicants' judicial business. Applicants shall not be exempt from the payment of fees incurred in connection with other uses of the PACER system in this Court. Additionally, the following limitations apply:

1. This fee exemption applies only to Applicants and does not authorize an exemption from PACER fees to any person who is not employed by and acting in the course of their duties for Applicants;

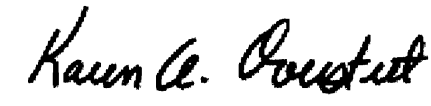
2. This fee exemption applies only to the electronic case files of this Court that are available through the PACER system through Applicants' PACER account number;

3. By accepting this exemption, Applicants agree not to sell for profit any data obtained as a result of receiving this exemption; and

4. This exemption may be revoked at the discretion of the Court at any time.

A copy of this Order shall be sent to the PACER Service Center.

DATED this 29th day of September, 2010



KAREN A. OVERSTREET
UNITED STATES BANKRUPTCY JUDGE